

11 DECEMBER 194'

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Of
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I N D E X
of
EXHIBITS

<u>Doc. No.</u>	<u>Def. No.</u>	<u>Pros. No.</u>	<u>Description</u>	<u>For Ident.</u>	<u>In Evidence</u>
3239		3596	Book entitled "The Age of War" (written in Japanese)	35099	
3239-B		3596-A	Excerpt therefrom		35100
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3331		3597	Book entitled "Radio Lectures and Speeches" (written in Japanese)	35126	
3331		3597-A	Excerpt therefrom		35120
3239-F		3598	Article entitled "World War and the New World" - Establishment of New Spheres of Influence over the World		35128
3239-A		3599	Excerpt from "The Age of War" by SHIRATORI, Toshio - Japan's Position as Regards a Southward Advance Arrival of a Heroic Age (p.300)		35131

Thursday, 11 December 1947

- - -

INTERNATIONAL MILITARY TRIBUNAL
FOR THE FAR EAST
Court House of the Tribunal
War Ministry Building
Tokyo, Japan

The Tribunal met, pursuant to adjournment,
at 0930.

Appearances:

For the Tribunal, all Members sitting, with
the exception of: HONORABLE JUSTICE SIR WILLIAM F.
WEBB, Member from the Commonwealth of Australia, not
sitting from 0930 to 1600; HONORABLE JUSTICE E. STUART
MCDOUGALL, Member from the Dominion of Canada, not
sitting from 1330 to 1600.

For the Prosecution Section, same as before.

For the Defense Section, same as before.

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(English to Japanese and Japanese
to English interpretation was made by the
Language Section, IMTFE.)

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1 MARSHAL OF THE COURT: The International
2 Military Tribunal for the Far East is now in session.

3 ACTING PRESIDENT: All the accused are present
4 except MATSUI, who is represented by counsel. We
5 have a certificate from the prison surgeon of Sugamo
6 certifying that he is ill and unable to attend the
7 trial today. The certificate will be recorded and
8 filed.

9 With the Tribunal's permission the accused
10 TOGO will be absent from the courtroom the whole of
11 the morning session conferring with his counsel.

12 On line 7, page 34,993 of yesterday's tran-
13 script it states as follows:

14 "Acting President: That proves the defend-
15 ant's claim that he published it, doesn't it?"
16 The word "defendant's" should read "prosecution's."

17 MR. T. OKAMOTO: I had intended to put two
18 or three questions to Mr. SHIRATORI in behalf of the
19 defendant MINAMI, but in view of the fact that the
20 proceedings yesterday took place so speedily, I was
21 unable to do so. I have obtained the consent and
22 agreement of the prosecutor to put a few questions
23 to Mr. SHIRATORI at this time. I would like to do it
24 very briefly. I should like to ask the Tribunal's
25 permission.

1 ACTING PRESIDENT: Is that on direct or cross-
2 examination?

3 MR. T. OKAMOTO: Direct.

4 ACTING PRESIDENT: You may proceed.

5 - - -

6 T O S H I O S H I R A T O R I, an accused,
7 resumed the stand and testified through Japanese
8 interpreters as follows:

9 DIRECT EXAMINATION

10 BY MR. T. OKAMOTO:

11 Q Just prior to and following the Manchurian
12 Incident did the Foreign Office receive various
13 reports from its representatives in Manchuria and
14 China -- consuls in Manchuria and China?

15 A Yes, we did.

16 Q Was such information which was received trans-
17 mitted to other agencies -- for instance, the Army
18 War Ministry or the General Staff?

19 A This wasn't the work of the Information Bureau.
20 However, on orders from the Vice-Minister it had been
21 the long-established custom of the Foreign Office
22 that the telegraphic section should send telegrams
23 that concerned other ministries to the various govern-
24 ment offices and --

25 Q Then, in accordance with such precedent

1 were there any occasions when the Foreign Minister
2 himself directly transmitted such telegrams to the
3 War Minister or handed such information to the War
4 Minister?

5 A It is possible that the Foreign Minister
6 should give information to another minister in cabin-
7 et meetings, but as to sending out reports from the
8 Foreign Office, the minister did not indulge in such
9 clerical duties.

10 Q Then, was it the precedent of the Foreign
11 Office to transmit all reports received from its
12 representatives abroad to the War Ministry?

13 A Depending on the problem involved. Some
14 documents would be most embarrassing if they were
15 handed -- if they were sent to other ministries, and
16 so from the -- Correction: -- and so I believe that
17 the number of documents communicated to other minis-
18 tries was about half of the total number received.

19 Q For instance, in the event information which
20 would be critical of the Kwantung Army -- would such
21 information be, as a rule, transmitted to the War
22 Ministry?

23 A It is difficult for me to say as a matter of
24 principle how such communications were handled. It
25 all depended on the discretion of the Vice-Minister.

SHIRATORI

DIRECT
CROSS

35,064

1 Q Then, did the Vice-Minister for Foreign
2 Affairs have the authority to select the messages
3 which would be transmitted to other ministries?

4 THE MONITOR: And the Foreign Minister did
5 not directly concern himself with such matters, is
6 that not so?

7 A Yes, that is so.

8 Q Then, under the precedent followed by the
9 Foreign Office in transmitting messages to the War
10 Office, to whom were such messages addressed?

11 A I don't know for sure, but I think it was the
12 Vice-Minister of War.

13 ACTING PRESIDENT: Mr. Sandusky.

14 MR. SANDUSKY: May it please the Tribunal.

15 CROSS-EXAMINATION

16 BY MR. SANDUSKY (Continued):

17 Q Mr. SHIRATORI, at the close of the session
18 yesterday we were discussing your position as Chief
19 of Information of the Foreign Office. Is it correct
20 that you yourself wrote or finally approved all
21 Foreign Office statements given to the press?

22 A The Information Board handled the actual
23 business of releasing the communiques, but as to the
24 contents of the various releases, these were prepared
25 by the other bureaus.

1 Q In your interviews with the press you were, how-
2 ever, in a position to more or less interpret the an-
3 nounced policy as you were presenting it to the members
4 of the press; is that not right?

5 A From various related documents and from tele-
6 grams coming in from abroad, I possessed all kinds of
7 information, and by giving explanations to the press,
8 based on this information which I had, I was able to
9 interpret and to explain the policy. To that extent, I
10 did do what you suggested.

11 Q Then that put you in a position to color or to
12 twist facts in your presentation of them to the press if
13 you desired to achieve a particular effect; is that
14 correct?

15 A I suppose I could have, if I had wanted to, but
16 as a civil servant I did have a conscience in regard to
17 such matters, and I did not twist matters as you have sug-
18 gested. I have no recollection of having done so.

19 Q Were there not occasions that arose when you
20 were obliged to make your conscience subserve your duties
21 as a civil servant in this respect?

22 MR. CAUDLE: Mr. President, I feel that it is
23 necessary for me to object to that line of questioning.
24 There is no evidence before this Tribunal that there has
25 been any twisting or camouflaging or anything else on

1 the part of this defendant.

2 ACTING PRESIDENT: You forget that this is
3 cross-examination. Objection overruled.

4 THE MONITOR: Court Reporter, will you read
5 Mr. Sandusky's last question, please?

6 (Whereupon, the official court reporter
7 read as follows: "Were there not occasions that
8 arose when you were obliged to make your con-
9 science subserve your duties as a civil servant
10 in this respect?")

11 A I don't recall any such occasions.

12 BY MR. SANDUSKY:

13 Q Mr. SHIRATORI, do you recall, and is it not a
14 fact, that in an interrogation in English in Sugamo
15 Prison on 27 March 1946, you were asked the following
16 questions and gave the following answers?

17 "Q I will ask you if you were not, from 1931 on
18 up until the end of the war, considered a friend of
19 the military clique that was aggressive in Manchuria
20 and in China?

21 "A I am not a friend of theirs, but I am a Japan-
22 ese. Being Japanese, I had to side with them; not side
23 with them, but try to cast as plausible and as bright
24 a surface as possible on the things they had done.
25

"Q What you were trying to do, then, was to sort

1 of cover up and pacify the public and make them pleased
2 with what the military clique had done; is that right?"

3 Were you asked those questions and did you
4 make those answers?

5 A I recall that there were questions and answers
6 along that line.

7 ACTING PRESIDENT: You never read the answer
8 to the second question that you read.

9 Q Were your responses to the questions asked the
10 same as I have indicated in my reading?

11 ACTING PRESIDENT: You have missed the point.

12 MR. SANDUSKY: Oh, I beg your pardon, Mr.
13 President. I understand I did not read the answer to
14 the last question?

15 ACTING PRESIDENT: That is right.

16 MR. SANDUSKY: The answer to the last question
17 was, "Not so much the inside public but the outside
18 world."

19 Q Now, I repeat my former question: Were you
20 asked those questions and did you make those responses?

21 A I have forgotten whether those were the exact
22 words used, but I do remember that there were questions
23 and answers along that line.

24 Q With respect to the official Foreign Office
25 statements that were released from your office, was it

1 necessary to obtain the personal approval of the Foreign
2 Minister?

3 A All official statements of the Foreign Office
4 are made not with the approval -- not alone with the
5 approval of the Foreign Minister, but are made on his
6 orders -- on his instructions.

7 Q Your position necessarily required that you
8 keep extremely well informed on policy matters in the
9 Foreign Ministry; is that not correct?

10 A On individual problems the director of the
11 bureau concerned would naturally know more than the
12 information bureau, but since we in the information
13 bureau read all documents and communications relating
14 to all bureaus, the range of our information as a whole
15 was far wider than that of any other bureau director --
16 the range of the knowledge of the information chief.

17 Q This position also required practically daily
18 contact with the Foreign Minister; is that correct?

19 A Yes, that is so.
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1 Q Now, whether by reason of this position or
2 otherwise, you also maintained close contact with
3 Prince KONOYE, Marquis KIDO and others who shaped
4 government policy during this period, did you not?

5 A At the time of the outbreak of the Manchurian
6 Incident I did meet Prince KONOYE and Marquis KIDO
7 two or three times, but at the time these men were not
8 shaping government policy -- or deciding.

9 Q I don't believe that is quite responsive to
10 my question, Mr. SHIRATORI. My question was whether,
11 during the period when you were in the Information
12 Bureau of the Foreign Office, you did not maintain
13 frequent contact with the men whom I mentioned.

14 A Not frequently. I said two or three times.

15 Q At such meetings you discussed the whole range
16 of internal and foreign politics, did you not?

17 A At the time I had no interest in regard to
18 domestic politics nor did I have much information
19 concerning them, and so our conversation hardly ever
20 touched that topic.

21 Q This may refresh your recollection on that
22 point, Mr. SHIRATORI. On or about the 4th of April
23 1932 were you not invited to dine and to discuss with
24 Baron HARADA and Prince KONOYE as to whether HIRANUMA
25 or SAITO should be made the next premier?

1 A I have no recollection of that which you say.

2 Q You state in your affidavit that, "Although
3 Foreign correspondents chose to refer to me as the
4 'spokesman' of the Foreign Office, my main business
5 was nothing more than handing out news items to them
6 from day to day." By that are you intending to have
7 this Tribunal believe that at that time you were no
8 more than a press copy boy for the Foreign Minister?

9 A I had no intention of representing myself
10 in such an inferior light but in foreign countries
11 very often, for instance, if we take the United States,
12 the President or the Secretary of State is often
13 referred to as a spokesman. In Japan the Chief of
14 the Information Board was referred to only in foreign
15 newspapers as a spokesman. He was never so referred
16 to in Japanese newspapers -- in Japan.

17 Q You do not suggest that the press grossly
18 exaggerated your importance in this position then?

19 A It may be that since the foreign correspondents
20 in Japan had few opportunities to see any government
21 official other than the Chief of the Information Board,
22 my position may have been thought of by them as more
23 important than it actually was.

24 THE MONITOR: But in their eyes the position
25 of the Chief of the Information Section may have seemed

1 rather important, but what I wanted to say, that the
2 position was not as important as they had supposed.

3 Q Now, at this time, Mr. SHIRATORI, when the
4 world judged foreign policy by the progress of the
5 Manchurian Incident, it was necessary for you to keep
6 close contact with the military authorities; is that
7 not right?

8 A We possessed quite a considerable amount of
9 information regarding army activities through tele-
10 grams which came in and, therefore, there was no
11 especial necessity for me to associate with army
12 officers directly.

13 Q You mean you maintained no direct liaison
14 with army circles on official matters?

15 A Liaison with the army was carried on in the
16 case of, for instance, the Manchurian Incident by the
17 Chief of the Asiatic Affairs Bureau -- Manchurian
18 Incident or Manchurian problem. I received information
19 from the Chief of the competent bureau and when I
20 thought it necessary I gave such information to the
21 press.

22 Q Mr. SHIRATORI, in an interrogation in English
23 in Sugamo Prison, March 28, 1946, were you not asked
24 the following questions, to which you gave the follow-
25 ing answers:

1 "Q Right after the Mukden Incident, the
2 Manchurian Incident, whatever you want to call it,
3 I believe at that time, by your speaking and your
4 writing, you gained quite some favor with the army,
5 did you not?

6 "A I was in favor of the army.

7 "Q Yes, on account of your ability to write and
8 to speak well, by being outspoken, as you say?

9 "A As I explained to you, sir, my connection
10 with the army began when Baron YOSHIZAWA said he could
11 not do anything with the head of the army. The Foreign
12 Minister wanted us younger men to go to the younger
13 men in the army and ask their real intention and so
14 report to him, you know. It started in that way and
15 YOSHIZAWA saw that it was quite impossible for him to
16 insist upon his idea, his own policy, quite apart
17 from the army. He knew that he had to compromise to
18 some extent with the army's insistence or policies.
19 I was made to go with the other young officers in the
20 Foreign Office to become the instrument of that liaison
21 with the army. There began my connection with the
22 army people and people, for instance, the papers and
23 all those things, you know, saying that the Foreign
24 Office -- saying they acquiesced in the policy enacted
25 by the Foreign Office, while it is not the case. Ever

1 since, my name became known to the people generally
2 as pro-military.

3 "Q You were sent by the Foreign Office to talk
4 with these younger officers?

5 "A The young officers in the War Ministry came
6 to the Foreign Office in the beginning of the Manchurian
7 affair almost every other day. They came to the For-
8 eign Office, to the office of the Director of the
9 Asiatic Affairs. Mr. TANI is his name. TANI was Chief
10 of the Asiatic Bureau. I was head of the Information
11 Bureau. They came to TANI's bureau almost every other
12 day for conferences and I attended those conferences
13 pretty often.

14 "Q What did you discuss there? Was it discussed
15 what the army intended to do about the expansion in
16 Manchuria and later in China?

17 "A No, those things, what the army intended,
18 they didn't let us know very well; but they wanted to
19 know our idea, how to fight the matter at Geneva in
20 the League of Nations, how to answer America and those
21 things. On matters especially concerned with foreign
22 countries and diplomacy or legal aspects, they consulted
23 us."

24 I will ask you if you were asked those ques-
25 tions and if you made those replies?

1 since, my name became known to the people generally
2 as pro-military.

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4 with these younger officers?

5 "A The young officers in the War Ministry came
6 to the Foreign Office in the beginning of the Manchurian
7 affair almost every other day. They came to the For-
8 eign Office, to the office of the Director of the
9 Asiatic Affairs. Mr. TANI is his name. TANI was Chief
10 of the Asiatic Bureau. I was head of the Information
11 Bureau. They came to TANI's bureau almost every other
12 day for conferences and I attended those conferences
13 pretty often.

14 "Q What did you discuss there? Was it discussed
15 what the army intended to do about the expansion in
16 Manchuria and later in China?

17 "A No, those things, what the army intended,
18 they didn't let us know very well; but they wanted to
19 know our idea, how to fight the matter at Geneva in
20 the League of Nations, how to answer America and those
21 things. On matters especially concerned with foreign
22 countries and diplomacy or legal aspects, they consulted
23 us."

24 I will ask you if you were asked those ques-
25 tions and if you made those replies?

1 A What you have just read to me is rather
2 involved, probably due to the fact that I did not
3 use the -- because the English I used at the time
4 was not good enough. For instance, you have used the
5 word -- you have read to me the word "Baron YOSHIZAWA."
6 I think at that time I meant Baron SHIDEHARA.

7 Q May I accept that as an affirmation to my
8 last question, with that correction?

9 A That one passage relating to Baron YOSHIZAWA,
10 that part of the interrogation which you read to me
11 seems to be quite incorrect. I might have been able
12 to correct it at the time, but at this late date I
13 do not know what the correct procedure is.

14 THE MONITOR: At this late date I do not
15 know what I exactly said, and it would be difficult
16 for me to correct it but just listening to what you
17 have read gives me the impression that the contents
18 are very vague and incoherent.

19 Q Can you suggest any specific correction other
20 than the substitution of the name SHIDEHARA for the
21 name YOSHIZAWA where it appears in those questions and
22 answers?

23 A My feeling was that what you read to me didn't
24 make any sense at all. Were you able to get the
25 meaning?

1 MR. SANDUSKY: I think we can pass for the
2 moment what meaning I drew from the interrogation,
3 Mr. SHIRATORI.

4 ACTING PRESIDENT: Could we not have had
5 those quotations translated ahead of time? You are
6 wasting a lot of time here in court which the Court
7 does not appreciate.

8 MR. SANDUSKY: I do apologize to the Tribunal
9 for this extensive relay. The material came to my
10 attention--or was impressed upon my attention--at a
11 late date and I had hoped that the witness would
12 recall this very important relationship with the army
13 and obviate the necessity of this cumbersome relay.

14 MR. CAUDLE: Mr. President.

15 ACTING PRESIDENT: Mr. Caudle.

16 MR. CAUDLE: It seems that the witness is
17 confused as to what Mr. Sandusky is getting at. The
18 question he read, which is the second question on page 5,
19 with reference to the Foreign Ministry -- acquiescing
20 with the Foreign Minister-- The question reads on
21 his document here--
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23 ACTING PRESIDENT: Your remarks at this time
24 are improper. If you want to take it up on redirect
25 you may do so.

SHIRATORI

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1 Q Mr. SHIRATORI, you do remember an interroga-
2 tion along those lines, do you not?

3 A I do recollect that the prosecutor asked me
4 at the time that people said that I was pro-militarist
5 and pointed out the facts of the situation, and I did
6 make an explanation in reply regarding my connections
7 with the military -- my relationships with the military
8 rather.

9 Q In your affidavit you refer to the birth of
10 the new state of Manchukuo with its Utopian program.
11 Did you consider at that time the program in Manchuria
12 Utopian?

13 A In the early stages of the Manchurian Incident
14 that was the case. The various views held concerning
15 Manchukuo were most idealistic. I was talking about
16 the time when various slogans such as "The Five Races
17 living together in concord;" "Land of peace and tran-
18 quillity;" "Land of safety and harmony," and so forth,
19 which would tend to appeal to young people were being
20 propagated.

21 THE INTERPRETER: Appeal to young people
22 with an idealistic nature.

23 THE MONITOR: To that period I referred.

24 Q Mr. SHIRATORI, my direct question was: Did
25 you personally think the program was Utopian and did

1 you approve it?

2 A I agreed with it in part and I approved of
3 it in part.

4 Q You state that the press did not respond to
5 the appeal of the Information Bureau for mobilization
6 of opinion for peaceful adjustment. What was the
7 nature of your appeal?

8 A This appeal was an appeal to cooperate with
9 the policy of the Foreign Office.

10 Q Did you institute a policy to keep statements
11 to the press free from inflammatory tone?

12 A The Japanese newspapers were not as obedient
13 as was generally thought abroad, and they disliked
14 extremely to have any outside interference in their
15 policies. And, therefore, I never once made any re-
16 quest that the newspapers carry such and such an
17 article.

18 Q Did you issue any releases from the Foreign
19 Office at all critical of the Manchurian Incident?

20 A Among the telegrams received by the Foreign
21 Office there were some which it would not be to our
22 advantage to publish abroad. But it is my belief that
23 my policy was to tell both the good and the bad, and
24 to furnish information freely even to the extent of
25 furnishing some information which might---

1 THE INTERPRETER: It was my policy to give
2 news both good and bad, favorable and unfavorable, to
3 both the domestic and foreign press as well and there
4 were times that I did so to such an extent that I was
5 reprimanded for it.

6 Q Did not Ambassador Grew frequently protest
7 your distortion of news in press interviews which led
8 to inflammatory articles in the press?

9 A I don't recall whether Ambassador Grew protested
10 directly or not but I do remember that any time a news
11 article unfavorable to the United States appeared in the
12 Japanese press the American Embassy thought that these
13 articles were inspired by the Information Bureau. That
14 is because their realization of the actual position of
15 the Japanese press was insufficient, as I have already
16 told you, and they did not sufficiently realize how
17 independent the newspapers actually were.

18 Q The press did not print information in addition
19 to that which you gave them at press interviews, did
20 they? By that I mean did they add anything to the
21 information you gave them in press interviews?

22 A I should like you to consider the point that
23 even if no new facts were added to what I gave them,
24 depending on the way they were handled, an entirely
25 different construction could be given on the same press

1 release.

2 Q Because you took action somewhat independently
3 of your superiors, isn't it true that Baron SHIDEHARA
4 wanted to remove you from the Information post?

5 A I admit that as a government official I may
6 have been rather indiscrete and Foreign Minister
7 SHIDEHARA may have thought so too, but I never thought
8 that Foreign Minister SHIDEHARA was so dissatisfied
9 with me that he would have wanted to remove me.

10 ACTING PRESIDENT: We will recess for fifteen
11 minutes.

12 (Whereupon, at 1045, a recess was
13 taken until 1100, after which the proceedings
14 were resumed as follows:)

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1 MARSHAL OF THE COURT: The International
2 Military Tribunal for the Far East is now resumed.

3 ACTING PRESIDENT: Mr. Sandusky.

4 BY MR. SANDUSKY (Continued):

5 Q Mr. SHIRATORI, is it not a fact that you
6 also opposed the policy of Baron SHIDEHARA's successor,
7 Foreign Minister YOSHIZAWA?

8 A I have no remembrance of having done so.

9 Q I will refresh your recollection, and I will
10 ask you if you did not on or about 21 February 1932
11 urge Premier KONOYE to dismiss YOSHIZAWA as Foreign
12 Minister and appoint in his place Vice-Foreign Minister
13 NAGAI.

14 I wish to correct that. Prince KONOYE was
15 not Premier at the time. The question would be: Did
16 you ask Prince KONOYE to influence the Premier to dis-
17 miss YOSHIZAWA?

18 A You must be under some misapprehension. The
19 Premier at the time was INUKAI, and YOSHIZAWA was his
20 son-in-law. It is hardly possible that one would urge
21 INUKAI to dismiss his own son-in-law.

22 THE MONITOR: Prince KONOYE at that time was
23 not in a position to exert such influence; neither did
24 he have much political influence.

25 Q I take that to deny your recollection in

1 this matter?

2 A Even apart from what you have said, I
3 never felt any special dissatisfaction toward Foreign
4 Minister YOSHIZAWA, and so I never did anything in the
5 nature of what you suggested. I don't think I did.

6 Q Mr. SHIRATORI, may I suggest that you con-
7 fine your response to the direct question and make it
8 as brief as possible in the interest of saving time.

9 Is it not a fact that by May of 1942 you
10 were widely known as an advocate of Japan's withdrawal
11 from the League of Nations?

12 A I think you mean 1932, but there is no such
13 fact. That is contrary to the fact.

14 Q Does that mean that you did not advocate
15 the withdrawal of Japan from the League of Nations?

16 A If you want me to explain I shall do so, but
17 as to whether or not I advocated such a withdrawal I
18 did not advocate it.

19 Q I think an explanation will be unnecessary,
20 Mr. SHIRATORI. I will suggest to you that in May of
21 1932 you stated your position in the matter to Baron
22 HARADA substantially as follows: "Japan is unable to
23 stay in the League of Nations after its actions in
24 Manchuria since September 18. Japan wants the under-
25 standing of the big powers, but it is not necessary for

1 this to remain in the League. It is unreasonable for
2 the small nations of Europe to attempt to restrain
3 Japan. Japan can take an independent stand if she
4 negotiates directly with England, France, and the
5 United States."

6 I think you can answer yes or no as to
7 whether you ever submitted those views to Baron HARADA?

8 A I never stated such views.

9 Q Is it not true that in October 1932 you were
10 appointed a member of a committee entitled, "Committee
11 for Drafting the Protest to the Lytton Report"?

12 A No such committee was ever created for such
13 a specific purpose, but I did take part in drafting
14 the Japanese reply to the Lytton Report.

15 Q Do you deny that there was a committee made
16 up of Vice-Minister ARITA, Chief of Asiatic Bureau
17 TANI, Chief of First Section of Asiatic Affairs Bureau
18 MORISHIMA, and yourself?

19 A The people you have named did take part in
20 the drafting of the reply, but they did not set up a
21 special committee such as you have named.
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1 Q The protest to the Lytton Committee was a
2 detailed justification of Japanese action in Manchuria,
3 was it not?

4 A Yes.

5 Q In September, 1932, did you consider War
6 Minister, General ARAKI, as a fellow faithful votary
7 of the SHIDEHARA diplomacy of conciliation?

8 A When I referred in my affidavit to myself
9 being a votary of the SHIDEHARA policy, I was speaking
10 of myself as an official of the Foreign Office on
11 a matter which concerned merely the Foreign Office;
12 and I had no intention of including high government
13 officials and other statesmen and the like. And as to
14 whether General ARAKI was a devotee of this policy, in
15 general outlines I believe he did agree with that policy,
16 but I could hardly say that he agreed with it in all
17 respects.

18 Q At this time, September, 1932, did you not
19 think highly enough of War Minister ITAGAKI to make
20 the suggestion to Baron HARADA that he be made Premier?

21 Correction: The reference was to ARAKI,
22 rather than to ITAGAKI.

23 A No, I did not.

24 Q If I may refresh your recollection: Did you
25 not argue for his appointment on these grounds, that

1 the Japanese exchange rate was dropping because Japan
2 did not have a strong government; therefore, the best
3 policy would be to have ARAKI, as a representative of
4 the powerful militarists, become Premier and proceed on
5 an unwavering program for five or six years?

6 A Not only did I never express such views to
7 others, but I, myself, never even harbored such thoughts.

8 Q What were the circumstances surrounding your
9 release from the post as Chief of Information?

10 A I considered it a routine promotion.

11 Q Were you told that you were changed at the
12 request of various ambassadors and ministers?

13 A No, I was never told of that.

14 Q Is it not true that you attempted to bargain
15 with Foreign Minister UCHIDA concerning your transfer?

16 A No, I never did.

17 Q Did you not say that you would accept a post
18 as minister abroad if Vice-Foreign Minister ARITA were
19 also to be sent out of the Foreign Office?

20 A At the time, rumors were circulating that I
21 had had a quarrel with ARITA, but those rumors were
22 contrary to the facts.

23 THE INTERPRETER: Correction: At that time
24 there may have been rumors that ARITA and I had quarreled,
25 but this was absolutely not true.

1 Q When ARITA refused to go to England and
2 resigned instead, did you not consent to go abroad as
3 minister provided the policy of the Foreign Office not
4 be changed?

5 A It is out of the question for bureau chiefs
6 or ministers to make such unwarranted demands, and I
7 have never done such a thing.

8 Q Is it true that you became minister to the
9 four Scandinavian countries within a month or two of
10 Hitler's ascendancy to domination in the German Reich?

11 A I forget when it was that Hitler seized power.
12 In any event, it was in June of 1933 that I became
13 minister to the Scandinavian countries.

14 Q During your assignment to Scandinavia, you
15 met with OSHIMA in Berlin a number of times while
16 negotiations for the Anti-Comintern Pact were under way,
17 is that not right?

18 A During my three years' stay in Scandinavia, I
19 went to Berlin four or five times altogether. I don't
20 recall, however, whether it was specially during the
21 period when the Anti-Comintern Pact was being negotiated.

22 Q The fact of the matter, Mr. SHIRATORI, is
23 that you discussed matters relating to the Anti-Comintern
24 Pact with OSHIMA, did you not?

25 A In those days the only times I met OSHIMA was

1 at banquets given by the ambassador, and I have no
2 recollection of having discussed such problems with
3 him, OSHIMA, who was military attache at that time.

4 Q During these visits, did you ever meet Hitler?

5 A No.

6 Q Did you ever meet Ribbentrop?

7 A No.

8 Q Isn't it true that you were widely credited
9 in Japan as being one of the framers of the Anti-
10 Comintern Pact?

11 A I don't think that it has been reported that
12 I was connected with the conclusion of the Anti-
13 Comintern Pact.

14 Q From your contacts in the Information Bureau,
15 were you acquainted with an American journalist here
16 in Tokyo by the name of Wilfrid Fleisher?

17 A He was one of the correspondents I know best.

18 Q Do you recall, and is it not a fact, that
19 after your return from Sweden, you discussed the Anti-
20 Comintern Pact with him?

21 A I have even forgotten whether Mr. Fleisher
22 was in Tokyo at the time I returned from Sweden, so,
23 naturally, I have also forgotten whether I discussed
24 such matters with him.
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Q Perhaps I can refresh your recollection, Mr. SHIRATORI. I will ask you whether he did not ask you what part you played in the negotiation. You referred to a legend current in Japan about soldiers in the second line of battle who were used to fire upon the front line when they were tempted to retreat, and then you said your role was as a "second line soldier." Does that refresh your recollection?

A That statement took me quite by surprise. I never said such a thing. It is unbelievable.

Q You state in paragraph 4 of your affidavit that you knew no more about the China War than an ordinary reader of newspapers. Do you mean by that portion of your affidavit that you had nothing whatever to do with the China Incident?

A Yes, that is just what I meant.

Q Is it not a fact that on 29 April 1940 you were accorded the decoration of the Double Rays of the Rising Sun for your services in the China Affair?

A I think I did.

Q For what services was this decoration conferred upon you?

A All those who were in government service at that time received decorations, and since I was Ambassador from 1938 to 1939 and from then on until

1 1941 was Adviser to the Foreign Office, I received
2 a decoration too. I think that was what I received
3 my award for.

4 Q Were you in favor of the so-called China
5 Affair or against it?

6 A I wanted the China Incident to be settled
7 as quickly as possible, and as to whether I was for
8 it or against it, since the Incident had already
9 began, I don't think I can appropriately use either
10 expression.

11 Q Did you ever do anything in a positive way
12 to object to continued military action in China?

13 A Do you mean after the outbreak of the China
14 Incident?

15 Q Yes.

16 A Actually this Incident was a war, and since
17 it was a war, as Japanese, we could not openly go --
18 we could not openly oppose it, but what we could do
19 was to hope for its quick settlement and to work for
20 that end, and finally that would mean an end of
21 military actions.

22 Q So, that is the way you hoped, is that right?

23 A Yes.

24 Q On page 3 of your affidavit, Mr. SHIRATORI,
25 you state you were reluctant to go to Italy as

1 Ambassador and at first declined to do so. In view
2 of the relations, increased relations between Japan
3 and Italy, this was a very definite promotion over
4 your former position in Sweden, was it not?

5 A It wasn't an extraordinary promotion; it
6 was a natural promotion.

7 Q In refusing this promotion, which was the
8 more compelling reason, the fact that Italy was so
9 far away or the fact that Japan had so little con-
10 nection with Italy?

11 A My reason was that I wanted to remain in
12 Japan and work for the settlement of the China
13 Incident at home.

14 Q The connections between Italy and Japan had,
15 however, become quite close, had they not?

16 A Italy had joined the Anti-Comintern Pact,
17 but as far as the feelings of the Japanese people
18 went, they still considered Italy quite a remote
19 country, unrelated to them.

20 Q When Italy, in December, 1937, followed the
21 example of Germany and Japan by withdrawing from the
22 League of Nations, did not that cement the bond a
23 little more closely?

24 A My own belief is that that would not neces-
25 sarily follow.

1 Q Isn't it true that in March, 1938, Italy
2 sent a goodwill mission to Japan?

3 A Yes, I think they did.

4 Q And, three months later, in May, an Italian
5 economic mission arrived in Tokyo, is that right?

6 A Yes, I think it did come here.

7 Q Now, in spite of the attractiveness of an
8 ambassadorial post in a country like Italy, you
9 continued to refuse the ambassadorship until you
10 were told of a possibility of a treaty strengthening
11 the Berlin-Rome-Tokyo Alliance, isn't that true?

12 A I accepted because I was able to see that
13 Italy could contribute to the most pressing problem
14 facing our country at that time, namely, the settle-
15 ment of the China Incident.

16 THE MONITOR: Japanese court reporter.

17 (Whereupon, the Japanese court
18 reporter read.)

19 THE INTERPRETER: "That was because I was
20 able to see that even from Italy I would be able to
21 contribute to the solution of the China Affair, which
22 was the most pressing problem of the time."

23 Q I will take that as an answer "yes" to my
24 question that you did go to Italy because you learned
25 of the possibility of negotiating an alliance with

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Italy and Germany.

A Yes, you may take it that way.

1 Q Is it not further a fact that when the
2 possibility of concluding such a treaty was defeated
3 for the time being by the Russo-German Pact, you
4 immediately requested your recall to Tokyo?

5 I would suggest this question may be answered
6 without offering an explanation of your reasons.

7 THE INTERPRETER: The witness answered "As you
8 say."

9 MR. SANDUSKY: I am sorry; I did not hear the
10 witness' answer.

11 THE INTERPRETER: "Yes, as you said."

12 Q It is correct, is it not, that immediately
13 upon your return to Tokyo in October, 1939, you issued
14 a statement in favor of the old alliance policy even
15 though the negotiations had fallen through?

16 A I didn't take any formal action such as issuing
17 a statement, but I did talk with newspaper reporters to
18 that effect.

19 Q In this same interview with the press did you
20 not apologize for the German action in concluding a
21 pact with Russia?

22 A I have no recollection of having apologized
23 for such action.

24 Q There was current at that time, was there not,
25 a considerable enmity toward Germany for having concluded

1 the pact in the midst of negotiations with Japan?

2 A There may have been such feeling extant in
3 some quarters.

4 Q Returning to your appointment as Ambassador to
5 Italy, you stated on page 4 of your affidavit that you
6 did not discuss the alliance with Foreign Minister
7 UGAKI or his successor, Foreign Minister ARITA. It is
8 a fact, is it not, that Mr. ARITA did not succeed to
9 the Foreign Ministry immediately after Mr. UGAKI, but
10 that Prince KONOYE, who was then Premier, held the
11 portfolio for a month before Mr. ARITA took office?

12 A In form, yes; but what it actually amounts to
13 would be that for one month after General UGAKI's
14 resignation there was no Foreign Minister.

15 Q But you had discussed the alliance with Premier
16 Prince KONOYE, had you not?

17 A When I asked his advice on the occasion of
18 assuming the Ambassadorship I did talk on this problem.
19 But I never talked about it other than this one occasion.

20 Q Is it not a fact that the reason for your not
21 discussing the alliance with either Mr. UGAKI or Mr.
22 ARITA was that you knew their views on an alliance with
23 Germany and Italy did not coincide with yours?

24 A I didn't consider their views to be different
25 from mine.

1 Q You further state in your affidavit that the
2 high officials of the department, that is, the Foreign
3 Ministry, were left entirely in the dark about
4 negotiations. Left in the dark by whom?

5 A I suppose my English was insufficient. I
6 should have said they were in the dark and left out the
7 "left."

8 Q Well, who kept them in the dark as to any
9 negotiations that had been proceeding up to that time?

10 A As the problem was still not officially taken
11 up by the Government, related documents did not come to
12 the Foreign Minister -- Foreign Office -- and the Foreign
13 Minister did not tell the Vice-Minister and the subord-
14 inates about it.

15 Q Who had the related documents?

16 A Well, I don't think there were too many of
17 these, but such as there were, were, I believe, in the
18 hands of Premier Prince KONOYE.

19 Q Did he get them directly from Germany?

20 A Military Attache OSHIMA had been submitting
21 reports to the Army. I believe what were in Prince
22 KONOYE's possession were copies of these reports.

23 Q In other words, the initial negotiations began
24 in military channels, is that right?

25 A Rather than negotiations I think the word -- it

1 would be more proper to say that the original proposal
2 came from those circles.

3 Q When did you first become acquainted with
4 Eugen Ott?

5 A I believe it was at a luncheon sponsored by
6 the Italian Embassy prior to my departure for Rome.

7 Q Did you have any political discussions with
8 him at that luncheon or at any other time prior to your
9 departure for Rome?

10 A My recollection of Ambassador Ott prior to
11 my departure for Rome is very faint, and I do not recall
12 having had any special conversations with him.

13 ACTING PRESIDENT: We will adjourn until half-
14 past one.

15 (Whereupon, at 1200, a recess was taken.)
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AFTERNOON SESSION

1 The Tribunal met, pursuant to recess,
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3 at 1330.

4 MARSHAL OF THE COURT: The International
5 Military Tribunal for the Far East is now resumed.

6 ACTING PRESIDENT: Mr. Sandusky.

7 MR. SANDUSKY: May it please the Tribunal.

8 Will the court reporter please read the
9 answer to the last question before the noon recess?

10 ACTING PRESIDENT: You had better read the
11 question too.

12 (Whereupon, the last question and
13 answer were read by the official court reporter.)
14

15 T O S H I O S H I R A T O R I, an accused,
16 resumed the stand and testified through Japanese
17 interpreters as follows:

CROSS-EXAMINATION

18
19 BY MR. SANDUSKY (Continued):

20 O Mr. SHIRATORI, is it not a fact and do you
21 not recall that General Ott used your good offices
22 to influence Premier KONOYE to come out with a more
23 open expression of solidarity with Germany in the
24 European crisis over the Czechoslovakian situation?

25 A That is not true. There is no such fact.

Q Is it not a fact that Premier KONOYE did on the 1st of October, 1938, actually send a telegram to Hitler on the splendid success of his policy, that is, the dismemberment of Czechoslovakia?

A I have never heard of that.

Q You state on page 3 of your affidavit that you first heard of negotiation for strengthening the Anti-Comintern Pact from Premier KONOYE in August, 1938. Had you not been advocating for some time previous to this a closer alignment with the Axis?

A I don't think there was any such a thing.

Q On or about January 4, 1937, in discussing the European situation with Baron HARADA did you not state that you wanted an alliance with Germany in order to check Russia?

A I have no recollection of ever having said such a thing to Baron HARADA, but as I have stated in my letter to Mr. ARITA, I stated that there was no special necessity of reaching any understanding, because Japan and Germany were in the same position.

Q The stern attitude of England and America toward the Japanese advance in China led you, later in 1937, to conclude that the Anglo-Saxon democracies were the main obstacle to the realization of Japan's continental policy, is that not right?

1 A To the exact contrary. It was my conten-
2 tion that in order -- if Japan's continental policy
3 was to be pressed through to success and to be proper-
4 ly understood, cooperation of the United States and
5 Britain was necessary -- essential.

6 Q Did you not anticipate as early as March 1938
7 in an article in Contemporary Japan that Germany,
8 Italy, and Japan would enlarge the scope of the Anti-
9 Comintern Pact so that it would be directed also
10 against the democracies if they continued to obstruct
11 the activities of the "Have-Not" nations?

12 A I have absolutely no recollection now of ever
13 having written an article in the March 1938 issue of
14 Contemporary Japan.

15 MR. SANDUSKY: May the witness be handed IPS
16 document 3239?

17 (Whereupon, a document was handed
18 to the witness.)

19 Q Is this book a collection of speeches and
20 articles by you entitled "The Age of War"?

21 A Yes.

22 Q When was it published?

23 A The collection of my writings and the publi-
24 cation of a collection thereof was handled by the
25 witness who appeared for me yesterday, Mr. MISHIMA,

1 Vasuo, and when he requested me for my approval I
2 gave it to him. But I think that this book actually
3 came off the press when I was sick -- if I am not
4 mistaken, sometime in the spring of 1941, probably
5 in April.

6 Q Please turn to page 254. Do you see there
7 an article entitled "Fascism versus the Popular Front"?

8 A Yes, there is.

9 Q And on page 268 do you notice that this
10 article is a reprint from the March 1938 issue of
11 Contemporary Japan?

12 A Yes. According to the Japanese era, 2,598;
13 would that be it?

14 Q Yes.

15 MR. SANDUSKY: I offer IPS document 3239 for
16 identification and document No. 3239-B, an excerpt
17 therefrom, in evidence.

18 ACTING PRESIDENT: The first document will be
19 admitted for identification only. The second document
20 will be admitted in evidence.

21 CLERK OF THE COURT: Prosecution document
22 No. 3239, being a book written in Japan, entitled
23 "The Age of War," will receive exhibit No. 3596 for
24 identification only, and the excerpt therefrom, being
25 prosecution document No. 3239-B, will receive exhibit

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No. 3596-A.

(Thereupon, prosecution document No. 3239 was marked prosecution exhibit No. 3596 for identification, and the excerpt therefrom, prosecution document No. 3239-B, was marked prosecution exhibit 3596-A and received in evidence.)

1 Q Mr. SHIRATORI, before you went to Rome, in
2 fact as early as October 1937, did you not write an
3 article in which you heralded totalitarianism as the
4 dominant political philosophy of the future?

5 A I have no recollection. I may have written
6 such an article.

7 MR. SANDUSKY: May the witness be handed ex-
8 hibit for identification 3596?

9 (Whereupon, the exhibit was shown
10 to the witness.)

11 Q Will you please turn to page 277?

12 Do you see there an article entitled "The
13 Fundamental Significance of our Continental Policy,"
14 and on page 287 do you notice that this was a reprint
15 from the October 1937 issue of the magazine Kaizo?

16 A Yes.

17 MR. SANDUSKY: I now wish to introduce in
18 evidence IPF document 3239-C, an excerpt from exhibit
19 for identification 3596.

20 ACTING PRESIDENT: It will be admitted in
21 evidence.

22 CLERK OF THE COURT: Prosecution document No.
23 3239-C will receive exhibit No. 3596-B.

24 (Whereupon, the document above re-
25 ferred to was marked prosecution exhibit No.

1 3596-B and received in evidence.)

2 MR. SANDUSKY: I shall at this time read only
3 an excerpt from exhibit 3596-B; that is, from the last
4 paragraph on page 1 to the end of the second paragraph
5 on page 2, and the first paragraph on page 3:

6 "Simultaneously with the outbreak of the
7 Manchurian Incident, there arose a new spiritual move-
8 ment in Japan, which seriously agitated national thought
9 and which led to a series of untoward incidents, a state
10 of affairs one would have least expected to see in Japan
11 in the trying international situation in which she then
12 found herself. This new movement, however, in the final
13 analysis, was closely bound up with Japan's military
14 campaign on the Asiatic continent, which after all was
15 a move animated by a definite ideal and conscious of
16 its objective, instead of being an action for sheer
17 conquest."

18 I skip then to the next paragraph:

19 "The followers of this movement, as well as
20 those who approve its thesis, are regarded as being
21 inclined to Fascism by the public. Whether they be
22 Fascists or not, the ideas of these men have something
23 in common with the new political philosophy of Germany,
24 in that they believe in totalitarianism and denounce
25 Communism, democracy and the other materialistic

1 ideologies. The salient difference is that this move-
2 ment in Japan lays special emphasis on the unique nation-
3 al character of this Empire and refuses to follow the
4 ways of Europe and America, reminding us in this respect
5 of the slogan of 'expel the foreigner and honour the
6 Emperor,' which was popular at the time of the Restora-
7 tion of 1868."

8 Continuing at the top of page 3:

9 "In political theory and practice, too,
10 liberalism and democracy, which are based on individual-
11 ism, are gradually becoming outworn, while the new trend
12 of nationalism and racialism seems to be destined to
13 continue developing. Thus the political philosophy
14 of tomorrow will in all probability come under the
15 exclusive sway of totalitarianism. In other words, a
16 new age is dawning upon the West, and I hardly see any
17 reason why thinkers in Japan alone should cling to their
18 outworn clothes of thought. It is certainly not a
19 matter for congratulation nor does it add any credit to
20 the Japanese nation that no progress is marked in the
21 thought of our people to keep pace with our continental
22 policy which alone goes ahead at full blast."
23
24
25

1 MR. SANDUSKY: I shall read at this time the
2 excerpts marked 3, 4 and 5:

3 "Most likely the criticisms directed by demo-
4 cratic countries against totalitarian states originate
5 not so much in political philosophy as in the fact that
6 these latter countries happen to be among the 'have-
7 nots' as regards material resources, and consequently
8 they are compelled to adopt a trend towards expansion-
9 ist policies and destruction of the status quo that
10 beget fear and hatred. Viewed from this standpoint,
11 too, the general condemnation of totalitarian states
12 cannot be regarded as just. The matter should be studied
13 with fairness by the intelligentsia in order to arrive
14 at a correct conclusion. The future peace of mankind
15 does not depend, as President Roosevelt says, on the
16 growth and diffusion of democracy, but rather on how
17 well democracies understand Fascism and how they look
18 upon the policies of the totalitarian states.

19
20 "Japan, Germany and Italy, the three greatest
21 totalitarian countries of the world, have concluded an
22 anti-Comintern Pact, the sole aim of which repeatedly
23 has been declared by the governments of the three Powers
24 to be common defense against the Communist International
25 and its schemes of world revolution.

"It is only by chance that the three nations,

1 poor in natural resources, are obliged to seize every
2 opportunity for legitimate national expansion abroad.
3 It is understandable that this should occasion apprehen-
4 sion, not necessarily without reason, on the part of the
5 'have' nations. But it is extremely difficult to under-
6 stand that democratic nations, despite the absence of
7 any attack or threat of attack on themselves, should,
8 from a preconceived notion of their own, place a false
9 construction on the intentions of the 'have-not'
10 countries and attempt to check and suppress their ac-
11 tivities at every turn. Would not such an attitude
12 only drive these countries beyond the bounds of their
13 original anti-Comintern Pact and compel them to col-
14 laborate in self-defense along more general lines?"
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Q Within six months, Mr. SHIRATORI, did you not go further and in another magazine article argue that totalitarianism was identical with Japan's national polity?

A Those two essays just referred to have now refreshed my memory. In those days, my interpretation of the word "totalitarianism" was quite different from that given ordinarily in the West. I regarded this as being close to our own fundamental character of the Japanese State, and it is a fact that I wrote articles centering around this interpretation of mine.

Q Mr. SHIRATORI, you were not asked to comment on them. If you have comment, I am sure your counsel will afford you ample opportunity later.

Returning to my previous question, do you recall later writing another article in which you identified totalitarianism with Japan's national polity?

A I have no positive recollection.

Q To refresh your recollection, I wish to read additional excerpts from exhibit No. 3596-A. Excerpt 1:

"In Japan, also, the tide has turned against that liberalism and democracy which once swept over the nation. The theory of government as advocated

1 by certain politicians which sees in parliament the
2 real centre of power now has been completely rejected
3 and the country is fast reverting to totalitarianism,
4 which has been the fundamental principle of Japan's
5 national life for the past thirty centuries. In the
6 eyes of those who believe in democracy as the highest
7 political ideal, the world today is verily in the
8 age of retrogression.

9 "A Government is a so-called necessary evil,
10 and its ideal should be a state of anarchy. But
11 according to the philosophy of totalitarianism, the
12 whole state or nation is, to carry further the above
13 simile, one large tree of which individuals constitute
14 the branches and leaves. A branch, or a leaf, has
15 its own functions and has, within the whole, its own
16 significance for existence. However, it cannot live
17 apart from the whole, and must always willingly
18 sacrifice itself if necessary for the sake of the
19 whole. Such is the political philosophy on which the
20 new state systems of Germany and Italy are based,
21 and such also has been the basic principle of the
22 national system of Japan for milleniums past. The
23 principle is not likely to perish in Germany or Italy,
24 whatever may be the fortunes of individual states-
25 men. Japan has had no other principle than this ever

1 since the beginning of her history, although there
2 have been certain external modifications in the
3 governmental form under the influences of thoughts
4 imported from abroad. This totalitarian national
5 principle -- or national policy, as it is called by
6 the Japanese -- is to the Japanese people a thing
7 eternal and immutable."

8 Now, Mr. SHIRATORI, in view of your belief
9 that Japan, Germany, and Italy shared this ideology
10 in common, did you not, in fact, go to Italy pre-
11 pared and determined to promote a treaty that would
12 serve as a basis for joint action to achieve your
13 common aims?

14 A I have no recollection of ever having gone
15 to my post in Rome with any such concrete intention
16 or aspiration.

17 Q When you say, at page 4 of your affidavit,
18 that you were not appointed to Rome for the purpose
19 of negotiating an alliance, you do not mean to deny,
20 do you, that your personal reason for going there was
21 to work for a military alliance?

22 A In my affidavit, I state what was the inten-
23 tion of the Japanese Government, that is to say, the
24 intentions of Prime Minister Prince KONOYE at the time,
25 and that also was my idea.

Leaving aside the question of whether such

1 a pact could be concluded or not, the intention was --
2 the mere fact that such negotiations were going on
3 might have the effect of making the United States
4 and Great Britain reconsider their position, re-
5 flect upon their policy, and perhaps, by recognition
6 of this development, take a more favorable attitude
7 and perhaps act as mediator to bring to a speedy
8 conclusion the China Affair.

9 THE MONITOR: Instead of "the mere fact that
10 such negotiations were going on" should be replaced
11 by "the fact of Japan on the one hand and Germany
12 and Italy on the other being brought into close
13 relationship."

14 Addition after the words "such negotiations":
15 "directed toward a closer rapprochement between
16 Japan on the one hand and Germany and Italy on the
17 other."

18 Q That is a very devious answer to a direct
19 question, Mr. SHIRATORI. Will you answer whether
20 you went there to get a military alliance, without
21 stating the reason?

22 A I did not go to Rome with such a purpose.

23 Q You state on page 7 of your affidavit that
24 the text of the treaty accepted by all nations at an
25 early stage was a very weak and harmless document,

1 more of a pact of mutual consultation and assistance
2 than a military alliance. Are you intending to con-
3 vey to this Court that that was the type of agree-
4 ment you personally wanted?
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ACTING PRESIDENT: Mr. Caudle.

1 MR. CAUDLE: Mr. President, I would like to
2 object to this question. It is rehashing and going
3 over and over the same thing, and we are not getting
4 anywhere.

5 MR. SANDUSKY: Mr. President, I submit it
6 is highly important that we distinguish what Mr.
7 SHIRATORI wanted as distinguished possibly from what
8 his government wanted. I want to make that distinction
9 very clear.
10

11 ACTING PRESIDENT: Some of your questions
12 have been repetitious, but I do not think you have
13 asked this one before.

14 Objection overruled.

15 A I did not go to Italy for the purpose of
16 bringing about a special or specific form of treaty.
17 The draft upon which the three governments came to
18 an agreement was the type of a treaty which I myself
19 desired; that is to say, I myself had no intention
20 to advocate any specific form of treaty. My personal
21 desire was that it would be quite satisfactory if a
22 treaty could be concluded along the lines proposed
23 by Japan--already proposed by Japan--to Germany and
24 Italy. While stating on the one hand the desire to
25 conclude a treaty but on the other to advance various

1 reservations and express an intention indicating no
2 desire to conclude an agreement, a treaty, was in
3 my estimation at that time a disgrace on the part of
4 Japan.

5 Q I refer to your statement on page 4 of your
6 affidavit that modification of the anti-Japanese
7 attitude of England and America was essential for
8 the settlement of the China affair. Did it not come
9 to your attention in June or July of 1938 that Japan
10 was going to make terms with Great Britain on the
11 basis of concessions offered by Great Britain in the
12 Tientsin affair?

13 A Wasn't that in 1939?

14 Q I believe not.

15 MR. SANDUSKY: Will the Court indulge me
16 a moment to check it?

17 Q (Continuing) Well, without regard to the
18 date, Mr. SHIRATORI, the remainder of the question,
19 I think, remains the same. Did you know that Japan
20 was going to make terms with Great Britain on the
21 basis of the concessions offered by Great Britain
22 in the Tientsin affair, whether in 1938 or 1939?

23 A Yes, I know that, but my recollection is
24 quite certain that this matter was brought up, I think,
25 in 1939 after the negotiations were already under way

between Japan and Germany and Italy.

1 Q I believe your date is correct.

2 A At first I felt that the alliance negotiations
3 had as a result thereof borne fruit in that form.

4 THE MONITOR: "I felt that what I had at
5 first expected as a result of the negotiations for
6 an alliance brought about in part the results that I
7 had expected."

8 Q Does that mean that you opposed or that you
9 encouraged Foreign Minister ARITA to pursue this
10 possibility for peaceful negotiation? I think that
11 may be answered briefly.

12 A It was ARITA's duty to bring about a closer
13 rapprochement between Japan and the United States and
14 Britain, and it was my task to bring about -- to
15 facilitate -- an alliance between Japan on the one
16 hand and Germany and Italy on the other hand, as an
17 ambassador to Italy. Although on the surface it
18 appeared that the two were moving in opposite
19 directions, actually speaking, I believe that the
20 work that I was doing was facilitating and furthering
21 Mr. ARITA's work of bringing about a rapprochement
22 with the United States and Britain; and to that end
23 I not only gave of my efforts but I prayed for his
24 success.
25

1 Q As a matter of fact, Mr. SHIRATORI, in
2 early July 1939, did you not send two cables to
3 your government relating to this matter?

4 A I have no recollection that I ever sent
5 any telegrams in connection with this matter.

6 Q To refresh your recollection, these
7 telegrams, I suggest, were sent to the Foreign
8 Minister when word came to you of the anti-British
9 feeling that had been engendered by the Tientsin
10 Incident. Does that help you?

11 A I think that such information was received
12 but-- I am quite sure that such information was
13 received but I have no recollection of having sent
14 a telegram in connection therewith.
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1 Q May I refresh your recollection further and
2 ask whether those cables or telegrams or notices to
3 your government, official documents, state in substance
4 the following, and I quote --

5 THE MONITOR: Mr. Prosecutor, I wonder if you
6 can give us a copy of that if you are going to quote?

7 MR. SANDUSKY: Language Division, it is two
8 very short sentences.

9 THE MONITOR: All right.

10 Q (Continuing) The quote is from exhibit 2234
11 at page 20 of the exhibit: "In order to establish a
12 new order in China today we must drive out from China
13 the old order which is represented by Britain."

14 THE MONITOR: Hold it a moment, please, until
15 we get the document. It is too long for us.

16 We can't find the document.

17 ACTING PRESIDENT: Proceed, Mr. Sandusky.

18 Q (Continuing) "Therefore, I believe that Japan
19 should conclude a treaty as soon as possible with
20 Germany and Italy in opposition to Britain and France."

21 A I have no recollection whatsoever of having
22 sent such a telegram.

23 Q Is it not true that the main purpose of an
24 alliance with Germany and Italy was to intimidate the
25 United States from making any movement either in Europe

1 or in the Far East?

2 A I have never ever thought of such a thing and
3 there is no one in my recollection who ever said such
4 a thing.

5 Q You state that you disagreed with your govern-
6 ment with regard to the secondary matter of reservations
7 to be attached to the text of the treaty. What were
8 those reservations and what were the disagreements
9 between you and your government with respect to them?
10 Briefly, if you will, please.

11 A I think that the reservations were as follows:
12 first, that in the event an attack was made by Britain
13 and France, Japan would not be able to give any sub-
14 stantial or sufficient aid; and, second, that in con-
15 cluding the treaty Japan would like to explain to
16 Britain and France that the pact was aimed primarily --
17 was aimed only at the U.S.S.R. And the point of dis-
18 agreement between Japan on the one hand and Italy and
19 Germany on the other is that Japan to the very last
20 insisted that these reservations be put in black and
21 white whereas Germany and Italy insisted that an oral
22 agreement would be sufficient -- an oral understanding
23 would be sufficient.
24

25 Q What was your position, Mr. SHIRATORI? Did
you favor the oral or the written reservation?

1 A I considered that an oral understanding was
2 sufficient.

3 Q You favored the German view, is that right?

4 A Yes, in regard to that point.

5 Q If I understand the first paragraph on page 9
6 of your affidavit correctly, you felt that there was no
7 danger in a pact with Germany because it could be
8 invoked by Germany only in the case of an aggression
9 against her and you felt that it was extremely unlikely
10 that such aggression would be started by England or
11 France, is that correct?

12 A Yes.
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1 Q I take it you held this belief to the end
2 of the negotiations with Germany, is that correct?

3 A Yes, exactly.

4 Q Now, at that time the Danzig issue, over
5 which the European War broke out, had clearly taken
6 shape, had it not?

7 A Actually the negotiations for the pact ended
8 around the latter part of May or the first part of
9 June, and thereafter there was no negotiations. And,
10 therefore, I do not have any recollection as to when
11 the Danzig issue came to the fore.

12 Q Did not negotiations continue in some form
13 or were they at least not open until the conclusion
14 of the Russo-German Non-Aggression Pact in August, I
15 believe?

16 A As I recall that I spent the entire months
17 of June and July at a summer resort, I think not.

18 Q You were aware of the situation that was
19 developing in the Danzig affair, were you not?

20 A I read of it in the newspapers.

21 Q You realized, didn't you, that Germany was
22 the aggressor nation?

23 A I did not think that to be necessarily so.
24 Well, if I may be permitted to explain, Great Britain
25 recognized what Germany had done by Prime Minister

1 Chamberlain's trip to Munich, and even authorities
2 in Europe did not consider German actions to be acts
3 of aggression -- all of Germany's actions -- all
4 German actions to be acts of aggression.

5 Q But following that and following the out-
6 break of war in Europe you continued to advocate an
7 alliance with Germany in spite of that situation, is
8 that right?

9 A Rather than say "advocate" I pointed out
10 that as a result of the conclusion of the German-
11 Soviet Non-Aggression Pact the possibility presented
12 itself by extending any pact between Japan and Germany
13 and Italy to include the Soviet Union also. That I
14 do recall.

15 ACTING PRESIDENT: I wonder if you cannot
16 during the recess find some means of shortening and
17 speeding up this cross-examination?

18 MR. SANDUSKY: Mr. President, may I suggest
19 it would be helpful if you would assist counsel by
20 directing the witness to respond as specifically to
21 the question as possible. At the same time I will
22 attempt to consolidate questions if at all possible.
23

24 ACTING PRESIDENT: We will recess for fifteen
25 minutes.

(Whereupon, at 1445, a recess

SHIRATORI

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1 was taken until 1500, after which the
2 proceedings were resumed as follows:)
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1 MARSHAL OF THE COURT: The International
2 Military Tribunal for the Far East is now resumed.

3 ACTING PRESIDENT: Mr. Sandusky.

4 MR. SANDUSKY: May it please the Tribunal.

5 BY MR. SANDUSKY (Continued):

6 Q In your affidavit you refer to exhibit 2232,
7 a telegram by the German Ambassador in Rome dated
8 September 2, 1939. Were you not informed by Mr. Macken-
9 sen, the German Ambassador at Rome, on September 4,
10 that is two days later, in response to your request
11 to see Ribbentrop, that Ribbentrop would be willing
12 to see you in Berlin?

13 A My recollection is that the facts are to the
14 contrary, that the order is reversed.

15 Q Did you not inform Mr. Mackenson on or about
16 9 September that you had discarded the idea of return-
17 ing via Siberia and that you would convey through
18 OSHIMA the matters which you had planned to present to
19 Ribbentrop yourself?

20 A There is no such fact.

21 Q Isn't it true that you wanted to submit to
22 Ribbentrop that he should make some statement that he
23 would be willing to influence Russia to disassociate
24 herself from China?

25 A There is no such fact.

1 Q Did you not also ask Ott to obtain that
2 sort of declaration from Ribbentrop for you in your
3 first conference with Ott after your return to Japan
4 on or about 24 October 1939?

5 A No, I did not.

6 Q Did you not after your recovery continue
7 your contact with Ott; for example, to advise him on
8 Japanese trends and personalities in the government?

9 A I may have met Ott after my recovery, but
10 there was no instance of my ever giving him any infor-
11 mation.

12 Q Did you not on or about 18 August 1941 have
13 a conference with Ott in which you advised him on the
14 good points and bad points of Mr. AMAU, who had just
15 been appointed Vice-Foreign Minister?

16 A No.

17 Q Further on your relations with Ott, did you
18 not together with OSHIMA, about the end of January 1941,
19 tell Ott that you did not think that Japan should ask
20 for Germany's recognition of the Wang Ching-wei Regime
21 at that time, and that you had both so advised MATSUOKA?

22 A In so far as I am concerned, there was no
23 case, there was no instance of that kind.

24 Q You state in substance on page 8 in your
25 affidavit that the fall of the YONAI Cabinet was

1 considered inevitable in view of the altered general
2 situation. Do you mean by that, the situation that
3 had altered by reason of the military successes of
4 Hitler?

5 A Yes, I do.

6 Q After your return from Italy did you not
7 oppose the policy of the YONAI-ARITA Cabinet?

8 A There was no instance of my opposing their
9 policy, but I might have expressed opinions contrary
10 to it.

11 Q Do you recall expressing an opinion calling
12 for a change of cabinet in substance on or about
13 June 18, 1940, at a meeting of the League for the
14 Sacred War?

15 A No, I do not remember.

16 Q To refresh your recollection, at this con-
17 ference did you state that you entertained absolutely
18 no hope for a reorientation of Japan's foreign policy
19 as long as the cabinet was composed of men who opposed
20 a military alliance of Japan, Germany, and Italy?

21 A I have no such recollection.

22 Q I refer to page 13 of your affidavit, where
23 you mention the visit of Ambassador Ott in July 1941,
24 which you say came as a surprise to you. It is not a
25 fact that Ott told you on this occasion that Foreign

1 Minister Ribbentrop had cabled him to investigate
2 your actual state of health and to send a special
3 report to him concerning it?

4 A Today, at this date, I have absolutely no
5 recollection as to what Ott said that day.

6 MR. CAUDLE: Your Honor, I would like to
7 object to that because in the Ott interrogation he,
8 himself, who made the visit said why. It was a
9 courtesy call and it was only five minutes out of his
10 way on his way to his own villa in the neighborhood.
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1 MR. SANDUSKY: Mr. President, may I suggest
2 that counsel be advised that he will have ample oppor-
3 tunity to argue the evidence in this case and that this
4 is not the proper time to attempt such argument.

5 ACTING PRESIDENT: The objection is overruled.

6 Q Mr. SHIRATORI, did you not hold and publicly
7 express the view in March 1941 that Japan would inevi-
8 tably, on the basis of the Tripartite Pact, become
9 involved in a European war if that war should continue
10 for some period?

11 A I have no recollection of ever having said
12 anything in that manner.

13 Q Do you recall advocating the view that such
14 inevitability is nothing to be upset about if the coun-
15 try is well prepared?

16 A That was something which the prosecutor read
17 to me from an article in the magazine "Contemporary
18 Japan" in Sugamo prison. I recall that there was such
19 an occasion.

20 Q Well, on another occasion did you state simi-
21 lar views in a broadcast on Asia Renovation Day on
22 March 1, 1941? Do you recall that?

23 A The magazine "Contemporary Japan" printed the
24 English translation of the broadcast address, and, as a
25 matter of fact, I learned about this for the first

1 time at Sugamo prison.

2 Q Mr. SHIRATORI, I am not at all sure these are
3 the same addresses.

4 May the witness be shown IPS document 3331.

5 Is this not a collection of radio speeches?
6 Is there not, on page 6 of the April issue, a speech
7 made by you and entitled, "Observations upon the Cur-
8 rent Situation at Home and Abroad"?

9 I am sorry, I don't get any answer.

10 A I am trying to find the April issue.

11 Yes, there is.

12 MR. SANDUSKY: I now tender IPS document 3331
13 for identification, and I offer an excerpt therefrom
14 in evidence.

15 ACTING PRESIDENT: The first document will
16 be received for identification only. The second docu-
17 ment will be received in evidence.

18 CLERK OF THE COURT: Prosecution document
19 No. 3331, being a book written in Japanese, entitled,
20 "Radio Lectures and Speeches," will receive exhibit
21 No. 3597 for identification only; and the excerpt
22 therefrom, bearing the same prosecution document number,
23 will receive exhibit No. 3597-A.

24 (Whereupon, prosecution document
25 No. 3331 was marked prosecution exhibit

1 No. 3597 for identification; and the excerpt
2 therefrom was marked prosecution exhibit
3 No. 3597-A and received in evidence.)

4 MR. SANDUSKY: May it please the Tribunal, I
5 will read a short excerpt, beginning with the bottom
6 paragraph of page 6 of that document.

7 "Under these circumstances, the European war
8 has every prospect of developing into an extremely pro-
9 tracted war all over the world. A war lasting for ten,
10 twenty years, is not unthinkable and Japan will inevi-
11 tably become involved therein. That is clear enough
12 if only from the letter of the Tripartite Pact. Such
13 an eventuality may, from Japan's point of view, be
14 considered an expansion of the China affair into a
15 general world war, or a melting together of the wars in
16 Asia and Europe. Be it what it may, it is clear that
17 Japan will not be allowed to stand aloof from such a
18 world-wide conflagration.

19 "Such a prospect cannot but be a source of
20 intense apprehension to many people in this country, nor
21 are endeavours wanting, I understand, to curb the progress
22 of events. I am afraid, however, that such efforts
23 will after all prove fruitless. History is eloquent in
24 testifying to the truth that all great changes in human
25 thought have resulted from long periods of struggle. No

1 human power can check the overwhelming tide of a
2 historic inevitability.

3 "When such a long-term world war does come,
4 our nation should not be uselessly upset or worried,
5 or vainly think of a course running counter to historic
6 necessity. Before everything, we must put right our
7 internal conditions so that we may successfully cope
8 with the impending world cataclysm."

9 Q Mr. SHIRATORI, did you not state, in an
10 article entitled, "The World War and the New World,"
11 that war with the United States was inevitable?

12 A Is that another article? I have no recol-
13 lection.

14 Q Yes, that is another article that is included
15 in exhibit 3596 for identification. I ask that you
16 be shown it.

17 Do you see, on page 64, an article entitled,
18 "World War and the New World"?

19 A Yes.

20 MR. SANDUSKY: May it please the Tribunal,
21 I offer in evidence IPS document 3239-F, being an
22 excerpt from exhibit 3596 for identification.

23 ACTING PRESIDENT: It will be admitted in
24 evidence.

25 CLERK OF THE COURT: Prosecution document

SHIRATORI

CROSS

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1 No. 3239-F will receive exhibit No. 3598.

2 (Whereupon, the document above
3 referred to was marked prosecution exhibit
4 No. 3598 and received in evidence.)
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1 MR. SANDUSKY: May it please the Tribunal, I
2 will read the second paragraph on page two of that
3 document:

4 "If America pours her immense manpower and
5 material resources into the war, we must expect the
6 war to certainly cover a long period of time. However,
7 if one takes this to mean the collapse of the culture
8 of mankind, it is because he does not understand the
9 real significance of the present war to start with.
10 What brought about the current turmoil? The stalemated
11 civilization of liberalism is indeed its cause. Is not
12 the present war the attempt to create a new thing by
13 bursting out of an old shell? The New Order of the East
14 and the West certainly has no significance outside of
15 this. Destruction of human lives and materials is
16 unavoidable. This is neither the destruction of
17 civilization nor the collapse of culture. This is
18 nothing but a sacrifice for the sake of the brilliant
19 birth of a new culture. The thoughts of mankind in
20 effecting any great change have always had to undergo
21 long periods of such destructions. It is quite natural
22 that America would eventually become involved in this
23 war in one form or other. Not only that, but might
24 this not actually be necessary for the interest of the
25 world, and also for the interest of America herself.

1 The reason is because this is the only way that a
2 change in history and a regeneration of the world can
3 become possible."

4 BY MR. SANDUSKY (Continued):

5 Q Again, Mr. SHIRATORI, did you not anticipate
6 the entry of Japan into the war in an article entitled
7 "Japan's position as regards a southward advance," which
8 is a part of your book "The Age of War"?

9 Would you look at page 299.

10 (The witness examined the document.)

11 Q (Continuing) Do you find the article in
12 question, and, if so, what is its date?

13 A It says the 3rd of February. The year is
14 2,601, that is, 1941.

15 THE MONITOR: Japanese court reporter.

16 (Whereupon, the Japanese court reporter
17 read.)

18 THE INTERPRETER: "February 13th."

19 MR. SANDUSKY: May it please the Tribunal, I
20 offer document 3239-A in evidence as an excerpt of
21 exhibit 3596 for identification.

22 ACTING PRESIDENT: It will be admitted in
23 evidence.

24 CLERK OF THE COURT: Prosecution document No.
25 3239-A will receive exhibit No. 3599.

1 (Whereupon, the document above re-
2 ferred to was marked prosecution exhibit No.
3 3599 and received in evidence.)

4 MR. SANDUSKY: (Reading)

5 "* * * It is true that Japan is now confronted
6 with an extremely grave situation both at home and
7 abroad -- generally said to be the greatest national
8 crisis ever since the founding of the Empire, and we
9 cannot deny, of course, that there may be a great
10 danger if we should take a step amiss at this time when
11 the sons of YAMATO are about to take a bold leap.
12 However, I can by no means agree with the opinion that
13 merely says that this is Japan's time of national crisis
14 and that Japan is now facing a very dangerous time. I
15 believe that Japan is now actually facing the most favor-
16 able opportunity and the fittingest time ever since the
17 founding of the country for making a great leap as
18 long as her people hold themselves firm and steady.

19 "The things which her people fear most are that,
20 after all, the national power has weakened as a result
21 of the continuance of the China Incident for three and
22 a half years, added to which the relations with the
23 Foreign Powers are extremely delicate, and we may next
24 have to wage war against Britain and the United States
25 after the fighting in China, apart from the fact that

1 Russia, too, cannot be relied upon. In a word, they
2 think that the shortage of commodities within the
3 country and the great weakening of the national power
4 owing to the war, together with the delicate foreign
5 relations -- these two factors combined make Japan
6 appear to them as being confronted with a grave crisis.
7 Though I think that we ought not to be too optimistic,
8 on considering matters calmly, I have come to the
9 conclusion that we need not necessarily feel apprehensive
10 if we study minutely the conditions of other countries
11 of the world and compare them with Japan."

12 Will the Tribunal indulge me a moment for
13 consultation.

14 May it please the Tribunal.

15 BY MR. SANDUSKY (Continued):

16 Q Mr. SHIRATORI, in the course of your lectures,
17 your speeches, your writings in various magazines to
18 sell to the people your idea of a New Order, did you
19 not minimize the importance of treaties that stood in
20 the way of realization of the program?

21 A I have no recollection of ever having said
22 anything which indicated disregard of treaties -- the
23 disregard of the value of treaties.

24 Q Specifically, as early as March, 1939, did you
25 not say, and I quote from an excerpt of exhibit 3596-A:

1 "A treaty, once signed by a 'have-not' nation through
2 temporary weakness or imprudence, is considered sacred
3 and inviolable. Its observance is insisted upon with
4 the inexorableness of a Shylock demanding his pound
5 of flesh."

6 A I have some recollection of having said some-
7 thing to that effect somewhere.

8 Q As a matter of fact, even before that time,
9 had you not decided that a Japanese New Order in East
10 Asia could not be accomplished within the framework of
11 international standards of conduct?

12 A With regard to that, I do not have any
13 recollection -- concerning it -- of saying that.

14 Q I will refresh your recollection by quoting
15 exhibit 3596-B; the second and third paragraphs of page
16 3 of that exhibit.

17 "We have noticed how unprepared we were
18 spiritually at the time of the Manchurian affair. The
19 six years which have since elapsed have largely been
20 wasted, and when hostilities arose in North China, the
21 Japanese nation, both official and private, had nothing
22 to offer but such old jargon as the right of self-defense
23 or vested interests, and since the conflict spread to
24 Shanghai, 'Punishment of Outrageous China' has been
25 Japan's main watchword. Further, in face of the wonted

1 criticisms of the Western press, the Government
2 hurriedly decided to send special missions abroad
3 to have Japan's case explained to the Western public.

4 "It is fundamentally mistaken to try to
5 explain Japan's continental action in the light of the
6 Western view of things or within the scope of law and
7 treaties only. If we are to follow the Western way of
8 thinking, we have to obey Western rules of conduct and
9 must plead guilty where Western public opinion unanimous-
10 ly blames us."

11 Did you write that?

12 A Yes, I have a recollection that I wrote it
13 in some magazine.

14 MR. SANDUSKY: May it please the Tribunal, I
15 have no further cross-examination.

16 ACTING PRESIDENT: Mr. Caudle.
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REDIRECT EXAMINATION

1 MR. CAUDLE: May it please the Tribunal,
2 may the witness be shown exhibit 3427?

3 (Whereupon, a document was
4 handed to the witness.)

5 MR. CAUDLE: This document was heretofore
6 introduced for identification only, at page of the
7 record 32,851.

8 Q Will you examine that document carefully,
9 please? Is this the reply or so-called protest
10 about which the prosecution questioned you about
11 on cross-examination of the Lytton report?

12 A Yes.

13 MR. CAUDLE: I now offer that document in
14 evidence.

15 MR. SANDUSKY: Mr. President, I am not too
16 familiar with the details of that document. I know
17 the offer in evidence was strongly opposed by the
18 prosecution when it was offered for identification
19 and later for evidence. I find nothing in the fact
20 of my mentioning this document as the product of a
21 committee with which the defendant worked which
22 would offer sufficient basis for its introduction
23 into evidence at this time as a matter arising out
24 of my cross-examination. I further submit, your
25

1 Honor, that a passing reference in my cross-
2 examination to the general character of the protest
3 is not sufficient warrant for its admission into
4 evidence in re-direct on behalf of Mr. SHIRATORI.

5 MR. CAUDLE: Your Honor, may I be heard
6 before a vote is taken?

7 ACTING PRESIDENT: You may, and I want to
8 ask what is the purpose of offering this document?

9 MR. CAUDLE: Well he characterized this
10 document as a protest, and further, he went on to
11 show that the witness had a part in the formulation
12 and writing of it. I can see no objection. The
13 document speaks for itself. I do not intend to
14 read it at this time, but I would like to question
15 the witness as to his part relative to same.

16 ACTING PRESIDENT: Do I understand you
17 withdraw your tender?

18 MR. CAUDLE: No, sir. I request that it
19 be accepted. I would like to question the witness
20 on the basis -- I mean, after it is in evidence.

21 ACTING PRESIDENT: The objection is sustained
22 by a majority.

23 Q Mr. SHIRATORI, when Mr. Sandusky was question-
24 ing you about certain interrogations which were made
25 in Sugamo prison, one question, or rather, the answer

1 that was given in the interrogation was sort of
2 confusing.

3 MR. CAUDLE: Your Honor, if you will permit
4 me, I can more or less quote what was intended. We
5 seem to have some difficulty in finding it and I
6 don't have a copy of that document.

7 Q (Continuing) This is part of an answer
8 submitted by you in answer to another question which
9 does not seem to have any bearing on this, but I will
10 quote this part of the answer, and I quote:

11 "There began my connection with the Army
12 people and people, for instance the papers, and
13 all of those things, you know, saying that the Foreign
14 Office, saying that they acquiesced in the policy
15 enacted by the Foreign Office, while it is not the
16 case."

17 Q (Continuing) Could you have meant that the
18 public and the press were insinuating that the Foreign
19 Office acquiesced in the policy of the Army, which
20 was not the case?

21 MR. SANDUSKY: Mr. President, I suggest that
22 this is a very obvious attempt to suggest to the
23 witness the answer he should give, but, more important--
24

25 THE INTERPRETER: Just a moment, please.
The witness said, "Yes, I think so."

1 MR. SANDUSKY: -- I suggest, respectfully,
2 that we are wasting time to clarify a matter that
3 is within the interrogation, was within the body of
4 the interrogation, which was quoted verbatim and
5 which will speak for itself, whatever it means -- if
6 it can mean anything -- will be evident to the Court.
7 Therefore, your Honor, I object to further question-
8 ing along this line.

9 MR. CAUDLE: May it please your Honor,
10 Mr. Sandusky brought this in in evidence, and I am
11 trying to find out who acquiesced with whom.

12 ACTING PRESIDENT: You certainly can not
13 tell it from that document. It seems to be a matter
14 of small importance anyway.

15 MR. CAUDLE: All right.

16 ACTING PRESIDENT: So far as that particular
17 answer is concerned, anyway.

18 MR. CAUDLE: Yes sir.

19 I have two more questions, very short
20 questions, I would like to ask, and I will be
21 complete.

22 Q Were any of your articles or speeches ever
23 sponsored by the government, or carried the govern-
24 ment's sanction?
25

A Never.

1 Q Please explain to the Tribunal your meaning
2 of the word "totalitarianism", used by you, which
3 was so often referred to by Mr. Sandusky.

4 MR. SANDUSKY: Mr. President, I used the
5 term "totalitarian" only in reference to documents
6 which I presented, with him as the author, and in
7 which the term is used. As the term as used in the
8 document must be determined from the document itself,
9 I object to questioning along this line.

10 ACTING PRESIDENT: Objection overruled.

11 A Well, if I began an explanation it would
12 take a long time, so I will put it briefly: it is a
13 philosophy which may be regarded as opposed to
14 individualism.

15 ACTING PRESIDENT: Have you any more
16 questions?

17 MR. CAUDLE: I think Mr. Brooks wants to
18 ask a question. I am through.

19 ACTING PRESIDENT: We will adjourn until
20 9:30 tomorrow morning.

21 (Whereupon, at 1600, an adjourn-
22 ment was taken until Friday, 12 December
23 1947, at 0930.)
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